



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,471	07/20/2001	Jeffrey K. Wilkins	WIL-102	1749

30869 7590 06/18/2003

LUMEN INTELLECTUAL PROPERTY SERVICES  
2345 YALE STREET  
SUITE 200  
PALO ALTO, CA 94306

EXAMINER

BORISSOV, IGOR N

ART UNIT PAPER NUMBER

3629

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/910,471

Applicant(s)

WILKINS ET AL.

Examiner

Igor Borissov

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-84 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-84 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 3629

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5-13, 16-24, 29, 33-41, 44-52, 57, 61-69 and 72-80 are rejected under 35 U.S.C. 102(e) as being anticipated by Lawrence et al. (US 6,289,342).

Lawrence et al. teach a method and system for autonomus citation indexing and literature browsing using citation context, comprising:

As per claims 1, 29 and 57,

- a) locating files within said distributed computer system that contain said business data (Abstract; column 7, lines 29-35);
- b) parsing said files to extract said business data (Abstract; column 7, lines 29-35; column 8, lines 20-28);
- c) transferring said extracted business data to an interested party (Abstract; column 7, lines 29-35).

As per claims 5-10, 33-38 and 61-66, said method and system, wherein said files are located on World Wide Web (column 7, line 29 – column 8, line 6).

As per claims 11-13, 39-41 and 67-69, said method and system, wherein

Art Unit: 3629

said files are located using a publicly accessible search engine or a custom designed spider (column 7, line 59 – column 8, line 11).

As per claims 16-17, 44-45 and 72-73, said method and system, further comprising the step of evaluating a tense related to said business data (column 9, lines 7-9; column 15, line 59).

As per claims 18-19, 46-47 and 74-75, said method and system, wherein said step of locating comprises the step of using one or more tags to locate said files containing said business data (column 8, line 65 – column 9, line 28).

As per claims 20-21, 48-49 and 76-77, said method and system, further comprising the step of rating said business data (column 9, line 64 – column 11, line 44).

As per claims 22, 50 and 78, said method and system, wherein said step of parsing comprises the step of using inclusion and exclusion characteristics to extract said business data (column 12, lines 7-23).

As per claims 23, 51 and 79, said method and system, further comprising the step of normalizing said business data column 12, lines 7-23; column 14, lines 29-67).

As per claims 24, 52 and 80, said method and system, further comprising the step of eliminating duplicate sets of business data (column 8, lines 8-9; column 14, lines 29-67).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3629

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4, 30-32, 58-60 and are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. in view of Johnson et al. (US 6,553,385).

As per claims 2-4, 30-32 and 58-60, Lawrence et al. teach all the limitations of claims 2-4, 30-32 and 58-60, including the step of evaluating said files containing said business data to determine relatedness of all documents found to a document of interest (column 16, line 42 – column 17, lines 65).

Lawrence et al. do not specifically teach that relatedness of the documents found comprises a confidence level.

Johnson et al. teach a method and system for information extraction from documents, wherein a confidence measurement is applied to the search results (column 10, lines 20-22).

It would have been an obvious matter of design choice to modify Lawrence et al. to include that relatedness of the documents found comprises a confidence level, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Lawrence et al. would perform the invention as claimed by the applicant with any terminology used to describe the step of evaluating relatedness of the search results.

Art Unit: 3629

Claims 14, 42 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. in view of Kavner (US 6,366,947).

As per claims 14, 42 and 70, Lawrence et al. teach all the limitations of claims 14, 42 and 70, except that one or more links are selected based on their proximity to a set of keywords.

Kavner teaches a method and system for accelerating network interaction, wherein a statistical engine is utilized to predict what links a user might select next based on key words in the links or resources, relationship of the link to the present page, including location of the link on the page (column 17, lines 3-26).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Lawrence et al. to include that one or more links are selected based on their proximity to a set of keywords because it would enhance the thoroughness of the search results by downloading all the associated hypertext links that are on the present page.

Claims 15, 25-28, 43, 53-56, 71 and 81-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al.

As per claims 15, 43 and 71, Lawrence et al. teach all the limitations of claims 15, 43 and 71, except that said files are located using a previously generated list of said files. However, it is well known in the database and file management art to conduct a search for files based on the previously generated list of said files. See: Maddalozzo, Jr. et al. (US 6,460,060); Abstract; column 2, lines 37-45.

Art Unit: 3629

As per claims 25-28, 53-56 and 81-84, Lawrence et al. teach all the limitations of claims 15, 43 and 71, except for extracting date or time stamps of said files that contain said business data. However, it is well known in the database and file management art to extracting time stamps of the located files. See: Sutter (US 5,924,094), column 77, lines 49-53; Yong (US 6,560,606), column 7, lines 48-49.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

***Washington D.C. 20231***

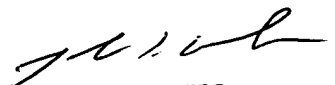
or faxed to:

**(703) 305-7687** [Official communications; including After Final  
communications labeled "Box AF"]

Art Unit: 3629

Hand delivered responses should be brought to Crystal Park 5, 2451  
Crystal Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.

DB

  
JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600